

**OFFICE OF THE CLERK  
UNITED STATES DISTRICT COURT  
Northern District of California**

**CIVIL MINUTES**

**Date:** August 28, 2024

**Time:** 9:40-10:10  
30 minutes

**Judge:** EDWARD M. CHEN

**Case No.:** 3:23-cv-04597-EMC

**Case Name:** Gjovik v. Apple Inc.

**Pro Se Plaintiff:** Ashley Gjovik

**Attorney for Defendant:** Melinda Riechert

**Deputy Clerk:** Vicky Ayala

**Court Reporter:** Kelly Shainline

**PROCEEDINGS HELD BY ZOOM WEBINAR**

Motion to Dismiss; Motion to Strike; Initial Case Management Conference – Held.

**SUMMARY**

Parties stated appearances.

Oral argument presented. Matter submitted; order to issue. The Court shall not accept any further filings related to the motion to dismiss.

The Court shall refer the case to a settlement conference with a magistrate judge (to be held within 120-150 days).

In addition, the Court shall require the parties to complete initial disclosures. However, it temporarily stays discovery pending a ruling on Apple's motion to dismiss. It makes sense to stay discovery temporarily so that the parties will have the benefit of the Court's ruling which will then inform the scope of the litigation.

Once the Court rules on Apple's motion to dismiss, then it shall allow discovery to proceed. Discovery shall be limited, for the time being, to "Phase I" discovery – i.e., discovery narrowly tailored to that needed in order for the parties to be adequately prepared for the settlement conference. The Court does not see a need for more than 1-2 depositions per side for purposes of Phase I discovery. Plaintiff indicated that she cannot afford to take depositions; that is a decision for her to make. Plaintiff cannot avoid having her deposition taken.

If the case does not settle, then the Court shall open discovery in full.

**REFERRALS:**

Case referred to Magistrate Judge for settlement conference to be completed within 120-150 days.